Remarks

Amendments are presented to clarify claim meaning and simplify issues for appeal. Before and after entry of the amendment, claims 15-23 are pending. All claims have been clarified by amendment to recite that a protonated form of an N-C_{8-24} acylamino acid is used and blended in a ratio of between 1.0 to 1.6 equivalents of the alkali salt of the amino acid relative to the protonated acylamino acid. Additional clarification, which more distinctly points out the limiting amount of counter cation, is provided by amendment to claims 16 to 19 : "wherein the amount of alkali in the surfactant is between 1.2 to 2 equivalents relative to the amino acid, if an acidic amino acid, and is between 1.0 to 1.4 equivalents relative to the amino acid if a neutral amino acid."

The added information is supported by the specification, for example, on page 10, paragraph 30, and page 12, paragraph 32 and new matter is not added.

The recitation has been added to more particularly point out and distinctly claim a desired embodiment to facilitate and narrow the argument in an appeal and does not add new argument. Accordingly, entry of the amendment urgently is requested.

Reconsideration and allowance earnestly are solicited. All pending claims have been amended to place them in better condition for allowance or appeal.

"The Invention Is: "

Applicants agree with the Examiner that numerous workers have prepared salts of amino acids and salts of acyl amino acids, and combined these in aqueous solutions. However, this is not the claimed invention.

The term "ion pair" has a meaning, both in the art to a skilled artisan and also in context of use in the specification, which differs from the interpretation of the Examiner. Indeed, the specification begins with a summary of the same background art that is exemplified by the Examiner's citations "most popular soap is alkali metal salt soap....the alkali metal soap has some defects..." (page 1 second sentence of "Background Art.") The claimed invention overcame those defects by controlling the alkali salt via use of protonated form of the acyl amino acid. This main point is stressed repeatedly in the specification and specific limiting values are provided, for example, on pages 10 and 12, as well as by example.

As explained in the background section of the specification, uncontrolled use of alkali counter ion was found to cause a problem. Without wishing to be bound by any one theory for how this embodiment operates, applicants point out that when both acyl amino moiety and the regular amino acid moiety are prepared and used as salts (as in previous art), the ionized forms of the acyl amino acid and regular amino acid indeed are all accompanied by other counterions, such as potassium,sodium and chlorine. However, as described in the specification and as claimed, the acyl amino acid and the non-acyl amino acid really do form an ion pair in solution, as there are limiting amounts of counter ion. That is, the acyl amino acid is a counter ion of the non-acyl amino acid. Of course, in solution, all ions are surrounded by layers of water. But the opposite charged ions are nearby.

As described and exemplified, there are insufficient non-amino acid counter ions in solution. A skilled artisan reading the specification would know this, and

would know that the protonated form of the acyl amino acid is a counter ion with the other claimed moiety. The Examiner specifically is requested to accept or deny this scientific fact, so that applicants can prepare a declaration from a skilled artisan, if necessary.

Entry of the claim amendments, which merely serve to narrow the issues, reconsideration and allowance earnestly are requested. The undersigned attorney is available at 202-742-6697 and plans to call the Examiner within one week to discuss this case.

Respectfully submitted,

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